

**MINUTES OF THE CITY COMMISSION MEETING
JUNE 23, 2003**

The City of Leesburg Commission held a regular meeting Monday, June 23, 2003, in the Commission Chambers at City Hall. Mayor Pro-Tem Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Bob Lovell
Commissioner Ben Perry
Commissioner Lewis Puckett
Mayor Pro-Tem David Knowles

Mayor Connelly was absent due to a death in his family. Also present were City Manager (CM) Ron Stock, Acting City Clerk (ACC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

Commissioner Lovell gave the invocation followed by the Pledge of Allegiance to the Flag.

**APPROVED CITY COMMISSION MINUTES OF THE REGULAR MEETING HELD
JUNE 9, 2003**

Commissioner Puckett moved to approve the City Commission minutes of the regular meeting held June 9, 2003. Commissioner Lovell seconded the motion and it carried unanimously.

**UPDATE ON ACTIONS BEING DONE ABOUT CODE ENFORCEMENT
VIOLATIONS**

Deputy City Manager (DCM) Johnson presented an update on the accomplishments made within code enforcement in the past year. He noted most code enforcement cases are resolved after the first contact. New procedures that have been put in place, such as the Special Master program and foreclosing when liens reach \$5,000 with restrictions (no homestead exemption and no large outstanding mortgage) are working well. Other accomplishments include neighborhood task force creation, demolition of unsafe structures, and creation of a neighborhood coordinator position.

He stated the biggest problem area is still the Kristen Street Apartments. This major crime and code enforcement area costs the City at least \$50,000 a year. DCM Johnson requested direction on how to proceed. The neighborhood task force is backing common ownership.

Commissioner Perry stated the City is enforcing the code enforcement regulations strongly in other areas. He questioned why a strong enforcement will not work in this area. DCM Johnson stated there is a steady turnover of ownership at this location. The owners are fixing up the properties just enough to get them rented and then to sell to another person.

Commissioner Lovell said property in this location is in high demand as rental property. Single ownership of all the units is the key to getting this area under control. Staff should find out who owns most of the apartments and see if that person would purchase the other apartments.

CM Stock questioned if the City had any urban renewal powers in this area for possible condemnation under Florida statute. CA Morrison stated this could be done however, it would be easier if the property was in a redevelopment area. CA Morrison suggested an analysis about

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the owners to see if any fell under the powers of the nuisance abatements ordinance. DCM Johnson noted the CRA boundaries can be adjusted to include the area.

Mayor Pro-Tem Knowles stated expanding the boundary should be checked into. Commissioner Lovell agreed and offered to help with this project.

CONSENT AGENDA:

Pulled – B7 (Variance request)

A2 (Purchase SCADA control panels) Pulled as there are no signed agreements.

Commissioner Perry moved to approve the Consent Agenda except for items A2 and B7 and Commissioner Lovell seconded the motion. The roll call vote was:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commission Puckett	Yea
Mayor Pro-Tem Knowles	Yea

Four yeas, no nays, the Consent Agenda was approved as follows:

PURCHASING ITEMS:

1. 03-FB-44 Cleaning and repainting College Street elevated 500,000 gallon water tank for the Environmental Services Dept. awarded to Utility Service Company for \$106,900.00.
2. Single Source **PULLED** Purchase SCADA control panels for 21 lift stations, control panel for College Street satellite water facility, updates for Newell Hill & Legacy satellite water facility, server software license modifications and related installation services (\$223,383.00)
3. Polk County Bid Purchase telephone system for new Police Dept. building awarded to Southeastern Telecom for \$71,235.57

RESOLUTIONS:

RESOLUTION 6820

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Utility Service Company, Inc. pursuant to Bid #03-FB-44; and providing an effective date.

RESOLUTION 6821

A resolution of the City Commission of the City of Leesburg, Florida, authorizing execution of the Voluntary Cooperation and Operational Assistance Mutual Aid Agreement between the Leesburg Police Department and the Clermont Police Department; and providing an effective date.

RESOLUTION 6822

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute change order #7 between the City of Leesburg and R.D. Michaels, Inc. relating to the construction of the Police Complex pursuant to bid #02-FB-71; and providing an effective date.

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RESOLUTION 6823

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a fourth amendment to the agreement for contractor services with Hewitt Power & Communications, Inc., to provide overhead electrical services, and providing an effective date.

RESOLUTION 6824

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Memorandum of Understanding between the City of Leesburg and Enterprise Florida Incorporated; and providing an effective date.

RESOLUTION 6825

A resolution of the City Commission of the City of Leesburg, Florida, approving an amendment to a variance to Section 22-56 of the Code of Ordinances to allow Lot 23, Sunnyside Trails Subdivision, to be 4.08 acres and use a septic tank for a single family home; and providing an effective date.

ADOPTED RESOLUTION 6826 APPROVING A VARIANCE TO ALLOW A SEPTIC TANK FOR A SINGLE FAMILY HOME

Commissioner Puckett introduced the resolution to be read by title only. ACC Richardson read the resolution, as follows:

A resolution of the City Commission of the City of Leesburg, Florida, approving a variance to Section 22-56 of the Code of Ordinances to allow a septic tank to be used for a single family home; and providing an effective date.

Commissioner Perry stated he is abstaining from voting on this resolution, as this is his property.

Commissioner Puckett moved to adopt the resolution and Commissioner Lovell seconded the motion. The roll call vote was:

Commissioner Perry	Abstained
Commission Puckett	Yea
Commissioner Lovell	Yea
Mayor Pro-Tem Knowles	Yea

Three yeas, no nays, one abstention, the Commission adopted the resolution.

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PUBLIC HEARINGS:

ADOPTED ORDINANCE 03-61 REZONING APPROXIMATELY 3.7 ACRES NORTH OF CARVER DRIVE, SOUTH OF THE ABANDONED RAILROAD R/W, AND EAST OF THOMAS AVENUE IN SECTION 22-19-24 FROM C-2 TO M-1 (DAMRON & ARCHBOLD, AMERIGAS, AND CHEMTEX PROPERTIES)

ACC Richardson read the ordinance, as follows:

An ordinance of the City of Leesburg, Florida, rezoning approximately 3.7 acres generally located north of Carver Drive, south of the abandoned railroad right-of-way, and east of Thomas Avenue, lying in Section 22, Township 19 south, Range 24 east, Lake County, Florida, from C-2 (Community Commercial) to M-1 (Industrial); and providing an effective date. (Damron and Archbold, Amerigas, and Chemtex properties)

Commissioner Puckett moved to adopt the ordinance and Commissioner Perry seconded the motion. The roll call vote was:

Commission Puckett	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Pro-Tem Knowles	Yea

Four yeas, no nays, the Commission adopted the ordinance.

ADOPTED ORDINANCE 03-62 ACCEPTING A UTILITY EASEMENT FROM TONY E. CAPER AND JOHNNY N. PRESSLEY, SR., AS TRUSTEES OF MT. CALVARY BAPTIST CHURCH FOR LAND IN SECTION 22-19-24

ACC Richardson read the ordinance, as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Tony E. Caper and Johnny N. Pressley, Sr., as trustees of Mt. Calvary Baptist church, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 22, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

Commissioner Lovell moved to adopt the ordinance and Commissioner Puckett seconded the motion. The roll call vote was:

Commission Puckett	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Pro-Tem Knowles	Yea

Four yeas, no nays, the Commission adopted the ordinance.

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ADOPTED ORDINANCE 03-63 AMENDING THE FISCAL YEAR 2002-2003 BUDGET FOR THE GENERAL FUND

ACC Richardson read the ordinance, as follows:

An ordinance of the City Commission of the City of Leesburg, Florida amending the Fiscal Year 2002-20 budget for the General Fund, and providing an effective date.

Commissioner Perry moved to adopt the ordinance and Commissioner Lovell seconded the motion. The roll call vote was:

Commissioner Perry	Yea
Commissioner Lovell	Yea
Commission Puckett	Yea
Mayor Pro-Tem Knowles	Yea

Four yeas, no nays, the Commission adopted the ordinance.

ADOPTED ORDINANCE 03-64 AMENDING §2 - 127 AND §2 - 128 OF THE CODE OF ORDINANCES TO ADD AN ADDITIONAL NON-VOTING REPRESENTATIVE OF THE LAKE COUNTY SCHOOL BOARD TO THE PLANNING AND ZONING COMMISSION

ACC Richardson read the ordinance, as follows:

An ordinance amending §2-127 and 2-128 of the Code of Ordinances of the City of Leesburg, Florida, pertaining to the composition of the Planning and Zoning Commission, to add an additional non-voting representative of the Lake County School Board; waiving attendance and residency requirements for this additional non-voting member; repealing conflicting ordinances; providing an severance clause; and providing an effective date.

Commissioner Lovell moved to adopt the ordinance and Commissioner Perry seconded the motion. The roll call vote was:

Commissioner Lovell	Yea
Commission Puckett	Yea
Commissioner Perry	Yea
Mayor Pro-Tem Knowles	Yea

Four yeas, no nays, the Commission adopted the ordinance.

INTRODUCED AN ORDINANCE AMENDING §15-6 OF THE CODE OF ORDINANCES PERTAINING TO THE USE OF ROLLER SKATES, BICYCLES, SKATEBOARDS, SCOOTERS AND OTHER SIMILAR DEVICES ON SIDEWALKS IN THE DOWNTOWN AREA

Commissioner Puckett introduced the ordinance to be read, by title only. ACC Richardson read the ordinance, as follows:

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An ordinance of the City of Leesburg, Florida, amending §15-6 of the Code of Ordinances pertaining to use of roller skates and other similar devices; adding a prohibition against use of roller skates, bicycles, skateboards, scooters and other similar devices on any sidewalk within the downtown business district; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

Commissioner Lovell stated he does not see this as a problem in the downtown area. He questioned if it is a major problem.

Commissioner Puckett asked if this ordinance will be enforceable.

CM Stock stated he received a petition signed by 40 business owners from the downtown area who feel this is a hazard. He has not seen the problem first hand.

Police Chief Idell noted Joe Shipes of the Leesburg Partnership stated they are having problems with park benches. The Police Department has not had many phone calls. Skateboards, bicycles, and roller skates do not mix with pedestrians. Enforcement will mean giving citations or warnings and putting up more signs.

INTRODUCED AN ORDINANCE AMENDING §7-120 OF THE CODE OF ORDINANCES PERTAINING TO CROSS CONNECTIONS AND BACKFLOW PREVENTION IN CONNECTION WITH THE POTABLE WATER SUPPLY

Commissioner Perry introduced the ordinance to be read, by title only. ACC Richardson read the ordinance, as follows:

An ordinance of the City of Leesburg, Florida, amending §7-120 of the Code of Ordinances pertaining to cross connections and backflow prevention in connection with the potable water supply; setting forth legislative findings; adopting a cross connection control program; providing a method for amending the cross connection control program; requiring periodic certification, maintenance and testing of all backflow prevention devices; providing for enforcement of the cross connection control program; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

Acting Director of Environmental Services Ray Sharp stated the purpose of this ordinance is to protect the potable water system. These backflow prevention devices are required by DEP. This is an update to an existing ordinance.

Commissioner Lovell questioned if all houses will be required to have a backflow prevention device installed. CM Stock noted the devices will be installed on all those houses that can use the reuse water. There are currently 106 houses that could use reuse water, if it was available.

CA Morrison stated it is the policy of St Johns Water Authority to strongly encourage the use of these backflow prevention devices.

CITY ATTORNEY ITEMS: None

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CITY MANAGER ITEMS:

1. CM Stock stated the monthly financial report for May 2003 was distributed in the agenda packets. He noted Deputy Finance Director (DFD) Diane Reichard is available in the audience to answer questions. There were none.
2. CM Stock reminded everyone of the Ice Cream Social on July 4th. He stated cups of ice cream will be distributed this year.

ROLL CALL:

Commissioner Perry - none

Commissioner Puckett - 1) Ski Beach is a mess due to the rain. The City will have a real problem on the 4th of July. CM Stock stated he is talking to doctors and the High School regarding allowing cars to park in their lots on the 4th of July. The City will provide shuttle service to Venetian Gardens. Commissioner Lovell stated the City may need to begin looking at whether offering the fireworks is still practical or not.

2) The canals look terrible as there are too many weeds. Commissioner Lovell stated some of the problem is due to a broken mower. CM Stock noted some of the plants growing are ones which were required for the permitting of the dredging of the canals. The City is borrowing a mower from the County to take care of the problem.

Commissioner Lovell - none

Mayor Pro-Tem Knowles - stated he enjoys the fireworks, but there needs to be coordination on the traffic.

Commissioner Lovell moved to adjourn to closed session and Commissioner Perry seconded the motion. The meeting adjourned into closed session at 6:23 p.m.

Mayor

ATTEST:

Acting City Clerk

Diane Gibson Smith
Recorder

MINUTES 030623